

ANIMAL WELFARE

PROGRAM PROFILE

Goal	To ensure humane care and treatment of all warm-blooded animals covered by the Animal Welfare Act and used for research, exhibition, sold wholesale as pets, or during transportation in commerce.
Enabling Legislation	Animal Welfare (AWA) of 1966, as amended in 1970, 1976, 1985, and 1990.
Economic Significance	Helps to assure quality and value of animals purchased as pets, for exhibition, or for research; and the safety and health of animals in commerce. Helps prevent theft of animals. Helps decrease amount of pain and distress for regulated animals.
Principal Approach And Methods Used to Achieve Goals	Regulatory program that inspects regulated research facilities, dealers, exhibitors, and airports; investigates complaints; and prosecutes violators. Licensed and registered facilities must comply with minimum standards for humane care and treatment.
History	The program began in 1967. In 1970, Congress amended the Laboratory Animal Welfare Act (1966) to include all warm-blooded animals used for purposes specified in original Act. In 1976, Congress amended the Act to regulate carriers, intermediate handlers, and animal fighting ventures. Another amendment in 1985 required USDA to promulgate new regulations and standards for research facilities; to inspect research facilities at least annually; establish an information service at the National Agricultural Library; and increase monetary fines for animal welfare violations. In FY 1988, APHIS published proposed rule and accepted comments on regulations to implement 1985 amendments to the Act. Parts 1 and 2 of that proposed rule became final on August 31, 1989. In 1989 and 1990, APHIS published proposed standards for exercise of dogs and amendment to promote psychological well-being of nonhuman primates. These standards were

published as final in Federal Register on February 15, 1991.

Congress amended the AWA in 1990 to provide injunction authority and further protect pets. On November 28, 1990, Congress passed the Pet Theft Act which requires rulemaking within 180 days. The Agency published the final regulations for this Act in the Federal Register on July 22, 1993. The amendment requires that regulated facilities comply with holding periods. This legislation was passed by Congress to prohibit the use of stolen pets in research and to provide owners the opportunity to locate their animals. The final rule became effective August 23, 1993.

Veterinary Services unit administered the AW program in APHIS from its inception until October 1, 1989, at which time the program was placed under the newly created Regulatory Enforcement and Animal Care unit as part of Agency reorganization. Animal Care was made a separate unit at beginning of FY 1997 when Regulatory Enforcement became part of Management and Budget.

State and Local Cooperation

No matching funding; most States have laws pertaining to the welfare of animals.

Involvement of Other Agencies

ARS, Department of Justice (criminal proceedings), FAA, Department of Transportation (enforcement of transportation provisions of the Act), NIH, FDA, National Marine Fisheries Service, and U.S. Fish and Wildlife Service (animals used in research and exhibition).

RESOURCE DATA

-----Obligations-----

	<u>Direct</u>	<u>Reimbursement</u>	<u>User Fees</u>	<u>Staff-Years</u>
FY 1996	9,353,001	--	--	170
FY 1997	9,320,817	--	--	133
FY 1998	9,454,996	--	--	127
FY 1999	9,222,338	--	--	127
FY 2000 (est.)	10,167,000	--	--	127
FY 2001 (est.)	15,167,000	--	--	157

	<u>APHIS</u>	<u>Coop</u>	<u>Total</u>	<u>CCC</u>	<u>Contingency Fund</u>
Cum.	\$167,523,932	--	\$167,823,932	--	--

RECENT ACCOMPLISHMENTS

Inspections

APHIS continues to focus resources on conducting quality inspections under the Animal Welfare Act (AWA) at USDA licensed and registered facilities. The use of the program's risk-based inspection system concentrates activities on facilities where animal welfare concerns are the greatest. APHIS has provided all field personnel with laptop computers, including related training, and has introduced a computer-generated, easy to understand inspection report. In addition, digital cameras were purchased for field personnel to use in documenting incidents of noncompliance. In FY 2000, APHIS will begin using a newly developed software program that will allow field inspectors direct access to the centralized database and transmittal of inspection results instantly.

In FY 1999, 45 inspectors completed a series of specialized training courses on elephant care and handling. Recognized experts presented materials, including hands-on instruction. APHIS also organized a training session for employees who inspect dog dealers to achieve more comprehensive, uniform inspections

which result in an appropriate level of care for the animals.

Potentially Dangerous Animals

The Agency requested information from the public concerning the best practices for the training and handling of potentially dangerous animals. After reviewing more than 400 public comments, APHIS drafted a policy for publication in the Federal Register in early 2000. In addition, APHIS is revising a draft policy on the psychological well-being of nonhuman primates in consideration of over 200 public comments. We expect to publish the final policy early in 2000.

Doris Day Animal League

APHIS published a petition from the Doris Day Animal League requesting that current AWA authorities be expanded to include noncommercial retail pet outlets and wholesale dealers of hunting, breeding, and security dogs. We received over 48,000 public comments. After review and consideration, the Agency published its position, based on the AWA's original intent, that it would begin licensing the wholesale dealers. We also published another petition from the Alternatives Research and Development Corporation that focused on including rats, mice, and birds under AWA's authorities. The Agency is currently reviewing an estimated 34,000 comments to assist in determining an appropriate decision.

Innovative Settlements

In FY 1999, APHIS continued to use innovative settlements as a means for facilities to respond to formal complaints issued for AWA violations. These agreements have enabled licensees and registrants who show an interest in improving the conditions for their animals to invest all or a part of their monetary sanctions in facility and personnel enhancements, as well as research to improve the animals' well-being. In an unprecedented settlement, APHIS' direct involvement in interagency negotiations was instrumental in the settlement conditions of AWA violations at a major nonhuman primate research facility. Specific terms included the divestiture of over 300 chimpanzees; establishment of a team of independent experts to review the animal care program and recommend facility improvements; hiring of

qualified veterinarians as agreed to by USDA; and a monetary fine of \$100,000.

When warranted, APHIS also supported strict enforcement action in FY 1999. In one such case, USDA, in conjunction with the U.S. Attorney's Office, successfully prosecuted nine people in both Federal and State Courts for their roles in operating a pet theft ring. These individuals were each indicted on one count of conspiracy to defraud the Federal Government by falsifying records in addition to mail fraud. All received fines, probation, home detention, or prison sentences and were permanently disqualified from obtaining a future USDA license.